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| Attorney/Party Name, Address, Phone, Fax, E-mail: | For court use only |
| UNITED STATES BANKRUPTCY COURT DISTRICT OF HAWAII | Case No. |
| In re: Debtor(s). | Chapter 13 |
| RIGHTS AND RESPONSIBILITIES OF CHAPTER 13 DEBTORS AND DEBTORS' ATTORNEYS | |

It is important that a debtor in a Chapter 13 bankruptcy case understands the debtor's rights and responsibilities. It also is important that the debtor knows and understands his or her attorney's responsibilities in performing certain services and the importance of communicating with the attorney to make the case successful. In order to assure a mutual understanding of these rights and responsibilities in the bankruptcy process, absent a contrary court order, the debtor and the attorney agree as below. Reference to a debtor includes a joint debtor, if any.

BEFORE THE PETITION IS FILED

Debtor agrees to:

1. Provide the attorney with accurate financial information.
2. Discuss with the attorney the debtor's objectives in filing the case.

Attorney agrees to:

1. Meet with the debtor to review the debtor's debts, assets, liabilities, income, and expenses.
2. Counsel the debtor regarding the advisability of filing either a Chapter 7 or Chapter 13 case, discuss both procedures with the debtor, and answer the debtor's questions.
3. Explain what payments will be made directly by the debtor and what payments will be made through the debtor's Chapter 13 plan, with particular attention to mortgage and vehicle loan payments, as well as any other claims which accrue interest.
4. Explain to the debtor how, when, and where to make the Chapter 13 plan payments, and discuss the availability of a wage order as a means to ensure payments to the Trustee.
5. Explain to the debtor how the attorney's fees and the trustee's fees are paid and provide an executed copy of this document to the debtor.
6. Explain to the debtor that the plan payment must be made to the trustee monthly beginning 30 days after the plan is filed.
7. Advise the debtor of the requirement to attend the § 341 Meeting of Creditors, and instruct the debtor as to the date, time and place of the meeting and other information which will be sent by the court in the notice of the commencement of the case.
8. Advise the debtor of the necessity of maintaining liability, collision and comprehensive insurance on vehicles securing loans or leases, and appropriate insurance if the case involves a business.

9. Prepare for timely filing the debtor's petition, schedules, statements, and plan with related motions to value collateral or to avoid liens.
10. Advise the debtor that, unless an extension is granted, a failure to file the schedules, statements and plan by certain deadlines may result in dismissal of the bankruptcy case with a 180-day bar to refiling.
11. Advise the debtor that failure to file current and delinquent tax returns will delay or inhibit confirmation of a plan.

AFTER THE PETITION IS FILED

Debtor agrees to:

1. Keep the trustee and the attorney informed of the debtor's address and telephone number.
2. Inform the attorney of any wage garnishments or attachments of assets which occur or continue after the filing of the case.
3. Contact the attorney promptly if the debtor loses his or her job or has other financial problems, including missing payments on a mortgage or other secured debt.
4. Let the attorney know if the debtor is sued during the case.
5. Contact the attorney before buying, refinancing, or selling real property or before entering into any long-term loan agreements to find out what approvals are required.
6. Maintain liability, collision and comprehensive insurance on vehicles securing loans or leases, and appropriate insurance if the case involves a business.

Attorney agrees to provide the following legal services:

1. Appear at the § 341 Meeting of Creditors with the debtor.
2. Prepare, file and serve necessary amended statements and schedules, and notice of any change in the debtor's address, in accordance with information provided by the debtor.
3. Respond to objections to plan confirmation, and where necessary, prepare an amended plan.
4. Prepare, file, and serve necessary modifications to the plan in the best interest of the debtor which may include suspending, lowering, or increasing plan payments or duration.
5. Prepare, file, and serve necessary motions to buy, sell, or refinance real property when appropriate.
6. Object to improper or invalid claims, if necessary.
7. Represent the debtor in motions for relief from stay and motions to dismiss.
8. Where appropriate, prepare, file, and serve necessary motions to avoid liens on real or personal property.
9. Prepare and submit the proposed order confirming plan, if not prepared by the trustee.
10. Provide such other legal services as are necessary for the administration of the present case before the bankruptcy court, except that representation or non-representation in an adversary proceeding may be the subject of a separate agreement of the debtor and the attorney.

ATTORNEY FEES

The fees charged for a Chapter 13 bankruptcy case are subject to negotiation between the attorney and the debtor. However, these fees must be approved by the court as reasonable. For the attorney wishing to obtain an expedited approval of fees as part of plan confirmation, the court has set certain maximum amounts. These maximum amounts are calculated according to the particular issues that are likely to arise in the case, and are described more fully in the court's Chapter 13 Attorney Fee Guidelines, posted at the court's website: www.hib.uscourts.gov. The fee amounts include all charges and expenses except the court's fee for filing the petition (\$194 in a Chapter 13 case).

The maximum fee amounts (effective in cases filed on or after December 1, 2003) are:

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| Basic services in the case: | \$1,800 | |
| Tax-related issues: | \$ 300 | |
| Personal property (e.g., vehicle) issues: | \$ 500 maximum | <i>(\$100 per motion to avoid lien and \$200 per motion to value collateral, up to a maximum of \$500)</i> |
| Real property issues: | \$ 400 | |
| Business reporting: | \$1,000 | |

These amounts are the maximum amounts that may be approved as part of confirmation of a Chapter 13 plan. Lower, or higher, fees may be appropriate depending upon the circumstances. If the debtor and the attorney agree to fees greater than the amounts noted above, the attorney must ask for court approval of the fees in a separate application.

If within the above dollar limits, the initial attorney fees may be paid, in whole or in part, directly by the debtor prior to the filing of the petition. To the extent not paid by the debtor before the filing of the petition, the fees must be paid through the plan by the trustee.

If the initial fees agreed to are not sufficient to compensate the attorney for the legal services rendered in the case, the attorney must apply to the court for approval of any additional fees. Attorney fees payable after the filing of the petition shall be paid through the plan unless otherwise ordered. After the petition is filed, the attorney may not receive fees directly from the debtor or from another party on behalf of the debtor without court approval.

Debtor and Attorney agree:

Initial fees (not including filing fee) charged in this case are: \$ _____

Debtor has paid before the petition was filed: \$ _____

Attorney fees to be paid through the plan: \$ _____

Attorney for Debtor(s)

Debtor

Joint Debtor (if any)

Dated: _____

Dated: _____

Dated: _____